

March 13, 2020

VIA ECF

Honorable Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Rock v. Enfants Riches Deprimes, LLC et al., 1:17-cv-02618 (ALC-DCF)

Dear Judge Carter:

We represent Plaintiff Mick Rock (“Plaintiff”) in the above-captioned case. In further support of Plaintiff’s motion for reconsideration and/or reargument of the Court’s order awarding attorneys’ fees and sanctions, Plaintiff respectfully submits the following documents for the Court’s review (which were not available as of the time Plaintiff’s motion was briefed):

- 1) Ex. A: A true and correct copy of Copyright Registration No. RE0 932-594, which covers the Photograph of Lou Reed at issue in this lawsuit.
- 2) Ex. B: A true and correct copy of Mick Rock’s complaint for copyright infringement, filed in the Central District of California on March 5, 2020, which involves the same Photograph and underlying infringing conduct.
- 3) Ex. C: A related case statement which certifies that the California action is related to the present action.

As explained in its brief, Plaintiff respectfully avers that because Defendants may still be held liable for copyright infringement of the Photograph at issue here, Defendant cannot be deemed a “prevailing party” for purposes of section 505 of the Copyright Act.

Respectfully Submitted,

s/richardliebowitz/
Richard Liebowitz

Counsel for Plaintiff